



LOUISIANA DEPARTMENT OF AGRICULTURE & FORESTRY
MIKE STRAIN DVM
COMMISSIONER



January 26, 2018

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Subject: 2018 Section 18 Specific Emergency Exemption re-certification request for the use of Transform® WG to control the tarnished plant bug (*Lygus lineolaris*) on cotton in Louisiana.

Dear Ms. Maignan:

The Louisiana Department of Agriculture and Forestry (LDAF) hereby requests a specific exemption recertification under the provisions of Section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended, for the use of Transform WG (EPA Reg. No. 62719-625) to help control the tarnished plant bug, *Lygus lineolaris*, in cotton production in 2018.

According to the authorization letter for 17LA03, the EPA determined that this use is eligible for the streamlined review process in 2018 under the re-certification program (40 CFR 166.20(b)(5)). As a result, this correspondence is being submitted to satisfy the recertification requirements. The emergency condition continues to exist as outlined in 2017, and the information submitted in the 2017 application is still representative of the emergency situation. For the 2018 production year, the LSU AgCenter anticipates the cotton acreage to be up to 250,000 acres. The intended use season is from April 1 to October 31.

According to an LSU AgCenter Entomologist, Dr. Sebe Brown, the specific emergency exemption that was authorized for 2017 was effective in managing the tarnished plant

bug in cotton production in Louisiana, and this use is needed for the 2018 production season to aid in the control of the tarnished plant bug in cotton production.

If you have any questions or need additional information concerning this request, please contact me or Scotty May, Pesticide Registration Program Coordinator, at 225-952-8047.

Sincerely,



Kevin Wofford, Director
Pesticide and Environmental Programs
Agricultural and Environmental Sciences
Louisiana Department of Agriculture and Forestry
Phone: 318-345-7595
E-mail: kwofford@ldaf.state.la.us

KW/sm

January 17, 2018

To whom it may concern:

The purpose of this letter is to request an emergency exemption (Section 18) for the use of sulfoxaflor (Transform WGTM, Dow AgroSciences) to manage tarnished plant bug, *Lygus lineolaris*, in cotton. Cotton producers throughout Louisiana have successfully used sulfoxaflor since 2012 to manage tarnished plant bugs. Since its introduction, Transform has reduced overall tarnished plant bug applications, and provided significant yield increases and returns in gross revenues. Over the last six years, sulfoxaflor has replaced more toxic insecticides including pyrethroids, organophosphates, and neonicotinoids. Because of its high level of efficacy, relative safety to beneficial arthropods and pollinators, and protection of cotton yields, Transform has become the foundation of the insecticide component of Louisiana's overall IPM program. Since the initial Section 3 registration in 2013, Transform has been used on more than three million acres across the mid-south region with zero reported incidents of adverse effects on bees or other pollinators. Despite the higher cost of Transform relative to other products used for tarnished plant bug control, cotton growers and consultants have incorporated Transform into their overall insect management programs. This demonstrates their commitment to selecting safe alternatives to more toxic insecticides as long as they do not sacrifice yields. Cotton growers, beekeepers, and other stakeholders in the state of Louisiana demonstrated their commitment to the protection of managed honey bees with their adoption of the Louisiana Pollinator Cooperative Conservation Program (LPCCP). Since the introduction of this program, the level of cooperation and communication between beekeepers and farmers has been unprecedented. In particular, the vast majority of growers in Louisiana have bought into this program and view beekeepers as fellow farmers. As a result, they have shown real concern about the livelihood of beekeepers they host on their farms. The cancellation of the Transform registration as a result of the actions of the Pollinator Stewardship Council has severely damaged the relationships between many farmers and beekeepers. Transform provides a high level of efficacy and yield protection from tarnished plant bug and cotton aphid, preserves beneficial insect populations, and more importantly replaces more toxic insecticides. Because of these attributes, Transform rapidly became the foundation of our cotton integrated pest management program for tarnished plant bug.

Louisiana received Transform in 2017 for use against tarnished plant bugs through a Section 18 emergency exemption and the product was used successfully with no adverse effects to the environment or local beekeepers. This indicates that farmers have demonstrated that this product can be used in accordance to labeled directions to manage tarnished plant bugs in a sustainable manner. We certify that the conditions set forth in 2017 will remain consistent with expectations for the 2018 growing season and are identical in nature. We are not aware of new or alternative management strategies that are different than in the preceding year. We respectfully ask that the EPA consider granting the exemption of Transform for the use year of 2018 described in the same manner as the previous submission for use in 2017. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to be "Sebe Brown".

Sebe Brown Ph.D

LSU AgCenter Extension Entomologist



Dow AgroSciences

Dow AgroSciences LLC

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Indianapolis, IN 46163

dowagro.com

December 5, 2017

Mr. Scotty May

Louisiana Department of Agriculture & Forestry
Pesticide & Environmental Programs
P.O. Box 91081
5825 Florida Boulevard, Suite 1023
Baton Rouge, LA 70821-9081

Re: Support letter for Transform™ WG Section 18 on cotton

Dear Mr. May,

Per your request, this letter is to confirm that Dow AgroSciences supports the pursuit of a Section 18 emergency exemption for Transform WG to control plant bugs on cotton in the state of Louisiana. Transform WG has provided excellent efficacy against plant bugs in previous use under both Section 18 exemptions and Section 3 registration, with no negative impacts on non-target insects. It represents a new class of chemistry with a novel mode of action, and controls pests resistant to other classes of chemistry. Although Section 3 registration was recently reestablished for Transform, cotton is not on the label at this time.

If you have questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Jamey Thomas".

Jamey Thomas, Ph.D.
US Regulatory Manager
Dow AgroSciences

cc: Tami Jones-Jefferson, DAS

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Dow AgroSciences

Dow AgroSciences LLC

9330 Zionsville Road

Indianapolis, IN 46268-1054 USA

Transform[®] WG

EPA Reg. No. 62719-625

For Control of Lygus Bugs in Cotton

Section 18 Emergency Exemption

File symbol: XXXXXX

FOR DISTRIBUTION AND USE ONLY IN LOUISIANA UNDER SECTION 18 EMERGENCY EXEMPTION

This Section 18 Emergency Exemption is effective XXXXX and expires XXXXX.

- This labeling must be in the possession of the user at the time of application.
- It is in violation of federal law to use this product in a manner inconsistent with its labeling.
- Read the label affixed to the container for Transform[®] WG insecticide before applying. Carefully follow all precautionary statements and applicable use directions.
- Any adverse effects resulting from the use of Transform WG under this emergency exemption must be immediately reported to the Louisiana Department of Agriculture and Forestry.

Environmental Hazards Statement: This product is highly toxic to bees exposed through contact during spraying and while spray droplets are still wet. This product may be toxic to bees exposed to treated foliage for up to 3 hours following application. Toxicity is reduced when spray droplets are dry. Risks to managed and native pollinators from contact with pesticide spray or residues can be minimized when applications are made before 7:00 a.m. or after 7:00 p.m. local time or when the temperature is below 55 degrees Fahrenheit (°F) at the site of application.

Directions for Use

Pests and Application Rates:

| Pests | Transform WG (oz/acre) |
|---------------------|---|
| tarnished plant bug | 1.5 – 2.25 (0.047 – 0.071 lb ai/acre) |

Advisory Pollinator Statement: Notifying known beekeepers within 1 mile of the treatment area 48 hours before the product is applied will allow them to take additional steps to protect bees. If known apiaries are within one mile of cotton fields intended for treatment, applications should be made within three hours of sunset during the flowering period. Growers are advised to refer to and, where feasible, observe the cooperative standards outlined in the Louisiana Pollinator Cooperative Conservation Program for additional guidance and bee conservation stewardship efforts.

Application Timing: Treat in accordance with local economic thresholds. Consult your Dow AgroSciences representative, cooperative extension service, certified crop advisor or state agricultural experiment station for any additional local use recommendations for your area.

Spray Drift Management: Applications are prohibited above wind speeds of 10 miles per hour (mph).

Application Rate: Use a higher rate in the rate range for heavy pest populations. Two applications may be required for optimum tarnished plant bug control under high pest pressure or heavy immigration of plant bugs from other crops.

Restrictions:

- **Preharvest Interval:** Do not apply within 14 days of harvest.
- **Minimum Treatment Interval:** Do not make applications less than 5 days apart.
- Do not make more than four applications per acre per year.
- Do not make more than two consecutive applications per crop.
- Do not apply more than a total of 8.5 oz of Transform WG (0.266 lb ai of sulfoxaflor) per acre per year.

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R396-188

Approved: __/__/__

Replaces R396-156